

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BROADCAST MUSIC, INC., et al.,) Case No. 5:12CV1024
Plaintiff,) MAGISTRATE JUDGE GEORGE J.
v.) LIMBERT
MEADOWLAKE, LTD, d/b/a/ RAFTERS) **ORDER**
BAR AND GRILLE, et al.,)
Defendants.)

This matter is before the Court on the motion to waive filing fee filed by Defendant, Roy E. Barr on September 10, 2013. ECF Dkt. #59. Federal Rule of Appellate Procedure 24(a)(1), captioned “Motion in the District Court,” reads, in its entirety:

Except as stated in Rule 24(a)(3), a party to a district-court action who desires to appeal *in forma pauperis* must file a motion in the district court. The party must attach an affidavit that:

- (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;
- (B) claims an entitlement to redress; and
- (C) states the issues that the party intends to present on appeal.

Defendant did not attach an affidavit meeting the foregoing requirements to the motion. Accordingly, the motion is DENIED for failure to comply with Appellate Rule 24.

IT IS SO ORDERED.

SIGNED AND ENTERED on this 10th day of September, 2013.

/s/ **George J. Limbert**
GEORGE J. LIMBERT
UNITED STATES MAGISTRATE JUDGE